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THE
VIRGINIA MAGAZINE
OF
HISTORY AND BIOGRAPHY.

VOL. XXII.

JULY, 1914.

No. 3

THE RANDOLPH MANUSCRIPT.

VIRGINIA SEVENTEENTH CENTURY RECORDS.

From the Original in the Collection of the Virginia Historical
Society

(CONTINUED)

ORDERS OF THE LORDS COMMISSIONERS OF THE TREASURY TO THE
GOVERNOR OF VIRGINIA ABOUT MR. BLATHWAYTS PATENTS.

After our very hearty commendations unto your Lordship, the King's most Excellent Majesty having by his Letters Patents, created the Office of an Auditor and Surveyor General of all his Revenues ariseing in America, and having appointed thereunto William Blathwayt Esq^r who hath given to his Majesty and his Ministers many Testimonys of his Care and Abilities to do his Majesty good and acceptable Service, and particularly in the Affairs of his foreign Plantations in America, we have thought fit to acquaint your Lordship that his Majesty hath especially

required from us the putting the said William Blathwayt into a present execution of the said Office, which his Majesty expects to have rendred usefull and necessary to his Service within his said Dominions and Colonies We do therefore very earnestly recommend him and the matters wherewith he is intrusted to your Lordships particular care and furtherance, assuring you that as your real and effectual Assistance will be very gratefull to his Majesty, so the least discouragement, delay or neglect fromi any person whatsoever will be esteemed very prejudicial to h s Service. And that this Office may produce an early Satisfaction to his Majesty at present and good Effects hereafter, we think it necessary that your Lordship do immediately give order for the transmitting a particular Account of all such Rents, Revenues, Prizes, Fines, Escheats, Forfeitures, Seizures, Duties and Profits whatsoever, as have accrued since your Lordships entry upon your Government, what part thereof is come, to your Lordship's hands, and how the same have been expended for his Majesty's Service in the Support of the Government, desiring your Lordship to give Order, that the same be also perform'd for the future by the first opportunities that present for England, after the expiration of Six Months or oftener, and Duplicates thereof, by the next Conveyance together with Copies of all Laws and Publick Acts concerning the Revenue, which his Majesty's Surveyor and Auditor General abovementioned is directed to demand and receive from all persons to whom it may belong to transmit the same, touching the Execution thereof by the several persons concern'd we find obliged and are resolv'd to make very Strict enquiries from time to time, and to represent the same accordingly to His Majesty in Pursuance of his Royal Pleasure, signify'd to your Lordship in this behalf by his gracious Letters which we send here inclos'd. And because the duties and Powers committed to the said Officer, as well as that which is expected from the several persons who are or shall be concerned may be the better understood, observ'd and performed, we have herewith sent you a Duplicate of the said Letters patents, to be entered with his Majesty's Letter among the publick Records of your Lordships Government. And we do further desire your Lordship to take care,

that due payment be made unto the said W^m Blathwayt from time to time of the Salary assign'd unto him out of the Revenues of Virginia by his Majesty's said Letters Patents. And so not doubting of your Lordships full compliance in the Execution hereof We bid your Lordship very heartily farewell. From the Treasury Chambers in Whitehall this fifth of July 1680.

Your Lordships very humble Servants

Law Hide: J: Ernle

Edw^d Derring: Sidney Godolphin

Ste: Fox.

OFFICE OF AUDITOR GENERAL.

Robert Ayleway Esq^r had a Patent to be Auditor Generall of Virginia which Patent he made over to William Byrd Esq^r by the following conveyance.

To all Christian People to whom the presents shall come Robert Ayleway of the Parish of S^t Martins in the Fields in the County of Middlesex Esq^r Sendeth Greeting, Whereas his late Majesty King Charles the Second by his Letters Patent under the great Seal of England bearing date the Sixteenth day of January in the twenty ninth year of his Reign for the considerations therein mention'd did give and grant unto the said Robert Ayleway the Office and Place of Auditor General of the Plantations and Colony of Virginia for the keeping of all such Accounts and doing and performing all such other matter, cause and thing as to the said Office belongeth or Appertaineth to be held and Exercised by him the said Robert Ayleway or his Sufficient Deputy for and during the Natural Life of him the said Robert Ayleway together with the Same fees, profits and advantages which Edward Diggs and Thomas Stegg or either of them or any other person or persons heretofore exercising the said Office have or ought to have had and receiv'd for or in respect of the Execution of the said Office as by the said Letters Patents relation being thereunto had doth more fully appear. Now know ye that the said Robert Ayleway reposing especiall trust and confidence in William Byrd of the said Colony of Virginia

Esq^r for the true and faithfull Execution of the said Office and for divers other good Causes and Considerations him the said Robert Ayleway thereunto moving hath given, Granted, Assign'd, and Sett over And by these presents doth Give, Grant, Assign & Set over unto the said William Byrd his Executors, Administrators & Assigns the aforesaid Letters Patents above mentioned & all the fees, perquisites profits & Advantages that are now or from time to time hereafter shall arise grow due & payable to him the said Robert Ayleway by Vertue of the said Letters Patents. To have & to hold the said Letters Patents fees perquisites profits and Advantages unto him the said William Byrd his Executors Administrators & Assigns for and during the Natural Life of him the said Robert Ayleway in as full and Ample Manner as he the said Robert Ayleway his Deputy or Deputies held and enjoy'd or might have held or enjoy'd the same by Vertue of the said Letters Patents And the said Robert Ayleway for himself his Heirs Executors & Administrators doth hereby Covenant grant and agree to and with the said William Byrd his Executors Administrators and Assigns that he the said Robert Ayleway shall and will make Ordain and constitute, and appoint him the said William Byrd or his Deputy in and for the Execution of the said Office for & during the Natural Life of him the said Robert Ayleway in Case the said William Byrd shall so long live & shall & will from time to time and at all times hereafter during the Continuance of the term granted in and by the said Letters Patents upon the resignation or other determination of the before mention'd Deputation at the Costs and Charges in the Law of the said William Byrd make, Ordain & Constitute such other Deputy or Deputies as he the said William Byrd his Executors, Administrators and Assigns shall Nominate and appoint And that he the said William Byrd his Executors Administrators and Assigns or such other Person or Persons that shall be nominated and appointed as aforesaid shall have and receive all the fees, perquisites, profits and Advantages granted by the above mentioned Letters Patents to the said Robert Ayleway to the use and behoof of the said William Byrd his Executors, Administrators and Assigns respectively for the Execution of the said Office without any

Accompt to be thereof given or rendred to him the said Robert Ayleway his Executors or Administrators for the same in as large and ample Manner as he the said Robert Ayleway might or could enjoy the same by Vertue of the foresaid Letters patent And that he the said William Byrd or such person or persons that shall be hereafter nominated to be Deputed to the Execution of the said Office at the Instance & request of him the said William Byrd his Executors Administrators and Assigns shall (during the continuance of the term granted by the said Letters Patents) peaceably and quietly have hold exercise and enjoy the said Office of Deputy Auditor, fees and premisses without any Interruption lett or disturbance of him the said Robert Ayleway or of any other person or persons lawfully claiming or to claim from by or under him. And that he the said Robert Ayleway shall and will at the request and at the costs & charges in the Law of him the said William Byrd his Executors Administrators & Assigns from time to time and at all times hereafter perform & Execute all and every other Act and thing that he the said Robert Ayleway may Lawfully for the better and further assuring the Premisses unto the said William Byrd his Executors Administrators & Assigns that by Council Learned in the Law shall be reasonably devised advised or required according to the true intent and meaning of these presents. And Lastly the said Robert Ayleway for himself his Executors & Administrators doth Covenant Promise and agree to & with the said William Byrd his Executors Administrators & Assigns that he the said Robert Ayleway hath not surrendered the said Letters Patents, And that he the said Robert Ayleway will not hereafter at any time Surrender the Same unless thereunto required by the said William Byrd his Executors Administrators or Assigns in Order to the obtaining a New Grant of the said office of Auditor Generall of the said Plantation or Colony of Virginia unto the said William Byrd or to such other person or Persons as he the said William Byrd his Executors Administrators or Assigns shall nominate in that behalf In which case he the said Robert Ayleway upon request made to him by the said William Byrd his Executors Administrators or Assigns shall and will at the Costs and Charges in the Law of him the said William Byrd

his Executors Administrators or Assigns make and Execute a Surrender of the said Letters Patents in due form of Law to the Intent that such new Grant of the said office may be obtain'd as aforesaid In Witness whereof the said Robert Ayleway hath hereunto set his hand & Seal the tenth day of March in the fourth Year of the Reign of Our Sovereign Lord and Lady William & Mary by the grace of God of England, Scotland, France and Ireland King & Queen Defenders of the Faith &c.

Annoq Dni 1691½

ROBERT AYLEWAY.

ROBERT AYLEWAY ESQ^r FEARING LEST OBJECTIONS MIGHT BE MADE TO THE ILLEGALITY OF TRANSFERRING HIS PATENT GRANTED HIS FOLLOWING DEPUTATION TO WILLIAM BYRD ESQ^r.

To all Christian People to whom these presents shall come Robert Ayleway of the Parish of S^t Martins in the fields in the County of Middlesex Esq^r Sendeth greeting Whereas his late Majesty King Charles the Second by his Letters Patents under the great seal of England bearing date the Sixteenth day of January in the twenty Ninth Year of his Reign for the considerations therein mention'd did give & Grant unto the said Robert Ayleway the Office & Place of Auditor General of the Plantations & Colony of Virginia for the keeping of all such Accompts & doing & performing all such other matters cause & thing as to the said Office belongeth or appertaineth to be held and Exercised by him the said Robert Ayleway or his Sufficient Deputy for and dureing the Natural Life of him the said Robert Ayleway together with the same fees profits and Advantages which Edward Diggs & Thomas Stegg or either of them or any other Person or Persons heretofore Exerciseing the said Office have or ought to have had receiv'd for or in respect of the Execution of the said Office as by the said Letter Patents relation being thereunto had doth more fully appear Now Know ye that the said Robert Ayleway for divers good causes and Considerations him thereunto Moving hath Ordain'd made constituted & appointed & by these Presents doth make Ordain constitute & appoint William Byrd of the said Colony of Virginia Esq^r his

true and Lawfull Deputy for the Executing & exercising of the said Office And doth hereby Give & grant unto the said William Byrd the Deputation & Execution of the said Office To have and to hold the same to him the said William Byrd for & during the Natural Life of him the said Robert Ayleway if the said William Byrd shall so long live, to have & receive during the aforesaid Term for the Exerciseing & Executing of the said Office, all fees, perquisites, Profits, Emoluments and Advantages to the said Office belonging or Appertaining to his the said William Byrd's own use & benefit with out any Account to be given to him the said Robert Ayleway his Executors or Administrators of or for the same in as large and ample manner as he the said Robert Ayleway might or could have hold or enjoy the same by force & Vertue of the said Letters Patents And the said Robert Ayleway doth hereby give and grant unto the said William Byrd full Power and Authority in the Name of him the said Robert Ayleway to make or constitute one or more lawfull Substitute or Substitutes for the Exerciseing or the Aiding & Assisting him the said William Byrd in the Execution of the said Office as to him the said William Byrd shall seem convenient, ratifying and confirming whatsoever the said William Byrd or his said Substitute or Substitutes shall Lawfully Act and do in and about the Premisess In Witness whereof the said Robert Ayleway hath hereunto set his hand and Seal the tenth day of March in the fourth Year of the Reign of our Sovereign Lord & Lady William & Mary by the grace of God of England, Scotland, France & Ireland King & Queen Defenders of the Faith &c.

Annoq Dni 1691½.

ROBERT AYLEWAY.

(TO BE CONCLUDED.)